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**MARTIN & FERRARO, LLP**

ATTORNEYS AT LAW

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(310) 286-2795**FACSIMILE TRANSMITTAL****TO:****Name:** Mail Stop AMENDMENT  
Group Art Unit 3772/Examiner Michael A. Brown**Firm:** U.S. Patent & Trademark Office**Fax No.:** 571-273- 8300**Subject:** U.S. Patent Application No. 08/480,461

Gary K. Michelson

Filed: June 7, 1995

INSTRUMENTATION FOR THE SURGICAL  
CORRECTION OF HUMAN THORACIC AND  
LUMBAR SPINAL DISEASE FROM THE  
LATERAL ASPECT OF THE SPINE

Attorney Docket No. 102.0010-01000

Customer No. 22882

Confirmation No.: 9274

**FROM:****Name:** Amedeo F. Ferraro, Esq.**Phone No.:** (310) 286-2795**No. of Pages (including this):** 9**Date:** August 26, 2008**Confirmation Copy to Follow:** NO**Message:****CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate; the total amount of \$130.00 to cover the Terminal Disclaimer fee is to be charged to Deposit Account No. 50-3726), Reply to Office Action, and Terminal Disclaimer are being facsimile transmitted to the U.S. Patent and Trademark Office on August 26, 2008.



Miyabi Grace Forker

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FORM PTO-1083

Attorney Docket No.: 102.0010-01000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson, M.D.

Serial No: 08/480,461

Filed: June 7, 1995

For: INSTRUMENTATION FOR THE  
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THORACIC AND LUMBAR SPINAL  
DISEASE FROM THE LATERAL  
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Art Unit: 3772

Examiner: Michael A. Brown

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Mail Stop AMENDMENT  
Commissioner for Patent  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Transmitted herewith is a Reply to Office Action in reply to the Office Action of May 29, 2008 in the above-identified application.

- ☐ No additional fee is required.
- ☐ Applicant hereby requests a \*\*\* -month extension of time to respond to the above office action.
- ☒ A Terminal Disclaimer is enclosed.
- ☐ An Information Disclosure Statement Under 37 C.F.R. § 1.97(\_\_\_\_) with Form PTO/SB/08 is enclosed.
- ☒ The total amount of \$130.00 to cover the Terminal Disclaimer fee is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726.
- A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLPDate: August 26, 2008By: Amedeo E. Ferraro  
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Transmittal 8-26-08

FORM PTO-1083

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